

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6623

BILL NUMBER: SB 176

NOTE PREPARED: Feb 27, 2012

BILL AMENDED: Feb 23, 2012

SUBJECT: Immediate Detention Orders.

FIRST AUTHOR: Sen. Young R Michael

FIRST SPONSOR: Rep. Foley

BILL STATUS: As Passed House

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: Local

Summary of Legislation: (Amended) This bill has the following provisions:

- A. *Preliminary Medical and Psychological Evaluation* – It permits a court to order an individual to be transported to an appropriate facility for a preliminary medical and psychological evaluation if the court has reasonable grounds to believe that the individual has a mental illness, is dangerous, and is in immediate need of hospitalization and treatment. It specifies that the individual may not be transported to a state institution.
- B. *Different Judge to Review Evaluation* – It provides that a judge who issues an order for preliminary medical and psychological evaluations may not review or issue an order concerning an application for emergency detention.
- C. *County Payment of Transportation Costs and Care* - It provides that the costs of transportation and care must be paid by the county if there were not reasonable grounds to believe that the individual had a mental illness and was dangerous.

Effective Date: July 1, 2012.

Explanation of State Expenditures:

Explanation of State Revenues:

Explanation of Local Expenditures: Under current law, law enforcement officers are already permitted to transport a person to a facility for a preliminary medical and psychological evaluation. The bill allows a court to order a law enforcement officer to do so.

The bill also requires the county to be liable for the costs of transportation and care if the individual is not determined to have a mental illness.

(Revised) *Different Judge to Review Evaluation* – The bill requires a different judge to review and order extending detention longer than 24 Hours. Some persons could be detained longer in a secure facility in counties with a limited number of judges. How frequently extensions of 24-hour detentions are sought is not known.

Explanation of Local Revenues:

State Agencies Affected:

Local Agencies Affected: Counties.

Information Sources:

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